

Order

Michigan Supreme Court
Lansing, Michigan

August 28, 2020

Bridget M. McCormack,
Chief Justice

161728 & (29)

David F. Viviano,
Chief Justice Pro Tem

WAYNE COUNTY JAIL INMATES,
Plaintiffs-Appellants,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 161728
COA: 354075
Wayne CC: 71-173217-CZ

WILLIAM LUCAS as WAYNE COUNTY
SHERIFF, WAYNE COUNTY COMMISSION,
and WAYNE COUNTY EXECUTIVE,
Defendants-Appellees.

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the July 24, 2020 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

CAVANAGH, J. (*concurring*).

I agree with this Court's order denying plaintiffs' application for leave to appeal. Injunctive relief is "an extraordinary remedy" appropriately granted when "there is no adequate remedy at law" *Pontiac Fire Fighters Union Local 376 v Pontiac*, 482 Mich 1, 8 (2008) (quotation marks and citations omitted). A consent order regarding conditions in the Wayne County Jail currently exists between the parties. On May 18, 2020, the parties stipulated to an amended consent order wherein defendants agreed to undertake and/or continue to implement various measures in response to the COVID-19 pandemic. Many of plaintiffs' claims are that defendants are not complying with the measures agreed to as part of the amended consent order. If defendants have failed to actually implement those agreed-upon measures, plaintiffs may file a show-cause motion seeking the trial court's enforcement of the amended consent order. As plaintiffs have this legal remedy available, the trial court did not abuse its discretion when it denied plaintiffs' motion for a temporary restraining order or preliminary injunction.

MCCORMACK, C.J., joins the statement of CAVANAGH, J.



a0825

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

August 28, 2020

Clerk